

REMARKS

This is in response to the Office Action mailed February 26, 2008. In the Office Action, claims 1-7, 10-18, 20-22, 24, 25, 37, and 38 were rejected; and objections were raised to claims 8, 9, 19, 23, and 39. With this amendment, claims 1, 2, 10-12, and 37 are amended; claims 7-9, 13-19, 23-25, and 39 are cancelled; and the remaining claims are unchanged in the application.

Section Thirteen of the Office Action indicated that claims 8, 9, 19, 23, and 39 were objected to as being dependent upon or rejected base claim, but were potentially allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. With this amendment, Applicants have endeavored to amend the claims to only recite subject matter that has been indicated as being allowable. Specifically, independent claim 1 has been amended to recite that the one or more sensors comprises a wavelength sensor and provides one or more sensor outputs related to one or more variables. The recitation of the one or more sensors comprising a wavelength sensor was previously set forth in dependent claim 9, which is now cancelled. Additionally, dependent claims 2, 10, and 11 have been amended to recite that they provide that the attenuator further comprises an additional sensor.

Independent claim 12 has been amended to recite a wavelength sensor disposed relative to the pair of waveguides to sense wavelength that effects attenuation, and wherein the controller is adapted to compensate an attenuation level based on the sensed wavelength. This feature was originally set forth in dependent claim 23, which is now cancelled. Additionally, dependent claims that did not agree with amended independent claim 12, have been cancelled as well.

Independent claim 37 is also amended to recite the subject matter previously recited in dependent claim 39, which is now cancelled.

Accordingly, Applicants respectfully submit that the only subject matter that remains pending in this application is that which has been previously indicated as being potentially allowable if rewritten in independent form. Therefore, Applicants respectfully submit that the entire application is now in condition for allowance. Reconsideration and a favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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